

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 23, 2004  
Susan L. Eick

Name

Susan L. Eick

Signature

February 23, 2004

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Rustum et al.

Filed: December 12, 2003

Serial No. 10/734,570

For: Method for Reducing Toxicity of Anticancer Agents

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant wishes to make of record the references listed in the attached Form 1449.  
Legible copies of the references listed are enclosed.

It is believed that no fee is due. However, if that is incorrect, the Examiner is authorized to charge any fee due to Deposit Account No. 08-2442.

Respectfully submitted,

By:

Ranjana Kadle  
Ranjana Kadle, Reg. No. 40,041

HODGSON RUSS LLP  
One M & T Plaza, Suite 2000  
Buffalo, New York 14203-2391  
Dated: February 23, 2004

Please type a plus sign inside this box +

PTO/SB/08A(05/03)

Approved for use through 05/31/2003, OMB 0651-0031

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2	Application Number	10/734,570
				Filing Date	December 12, 2003
				First Named Inventor	Rustum et al.
				Art Unit	
				Examiner Name	
				Attorney Docket Number	03551.0145

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-4,617,189	10-14-1986	Stockel et al.	
	2	US-5,552,440	09-03-1996	Crooks et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

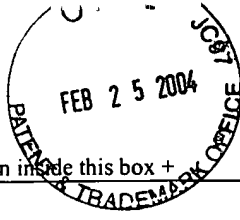
## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Please type a plus sign inside this box +

PTO/SB/08B(05/03)

Approved for use through 05/31/2003, OMB 0651-0031

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

<b>Sheet</b>	2	<b>of</b>	2	<b>Application Number</b>	10/734,570
				<b>Filing Date</b>	December 12, 2003
				<b>First Named Inventor</b>	Rustum et al.
				<b>Group Art Unit</b>	
				<b>Examiner Name</b>	
<b>Attorney Docket Number</b>				03551.0145	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	BOUCHER ET AL., <i>Oral Selenium Supplementation in Rats Reduces Cardiac Toxicity of Adriamycin During Ischemia and Reperfusion</i> , Nutrition, Sept.-Oct. 1995, Vol. 11 (5 Suppl.), pp. 708-711	
	2	DONG ET AL., <i>Identification of Molecular Targets Associated with Selenium-Induced Growth Inhibition in Human Breast Cells Using cDNA Microarrays</i> , Cancer Research, February 1, 2002, Vol. 62, pp. 708-714	
	3	EL-BAYOUMY ET AL., <i>The Protective Role of Selenium on Genetic Damage and on Cancer</i> , Mutation Research, 2001, Vol. 475, pp. 123-139	
	4	FRENKEL ET AL., <i>A Prevention Strategy for Circumventing Drug Resistance in Cancer Chemotherapy</i> , Current Pharmaceutical Design, 2001, Vol. 7, pp. 1595-1614	
	5	HU ET AL., <i>The Protective Role of Selenium on the Toxicity of Cisplatin-Contained Chemotherapy Regimen in Cancer Patients</i> , Biological Trace Element Research, 1997, Vol. 56, pp. 331-341	
	6	KAJANDER ET AL., <i>Effects of Selenomethionine Metabolism in Cultured Malignant Cells</i> , Biochem. J., 1990, Vol. 267, pp. 767-774	
	7	OHKAWA ET AL., <i>The Effects of Co-Administration of Selenium and Cis-platin (CDDP) on CDDP-Induced Toxicity and Antitumor Activity</i> , Br. J. Cancer, 1988, Vol. 58, pp. 34-41	
	8	SEIJA K., <i>Protective Role of Selenium Against the Toxicity of Multi-Drug Chemotherapy in Patients with Ovarian Cancer</i> , Pharmazie, 2000, Vol. 55, No. 12, pp. 958-959	
	9	SEO ET AL., <i>Selenomethionine Regulation of p53 by a Ref1-Dependent Redox Mechanism</i> , PNAS, October 29, 2002, Vol. 99, No. 22, pp. 14548-14553	
	10	WANG ET AL., <i>Induction of Caspase-Mediated Apoptosis and Cell-Cycle G<sub>1</sub> Arrest by Selenium Metabolite Methylselenol</i> , Molecular Carcinogenesis, 2002, Vol. 34, pp. 113-120	

<b>Examiner Signature</b>		<b>Date Considered</b>	
-------------------------------	--	----------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English Translation is attached.

Burden Hour Statement: The form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.